

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

FILED

FEB 01 2017

BY CARMELITA REEDER SHINN
CLERK, U.S. DISTRICT COURT
DEPUTY

MEGAN NICOLE HAMMERS,

Petitioner,

V.

DEBBIE ALDRIDGE, et al.,

Respondent(s)

No. CIV-16-244-HE

PETITIONER'S OBJECTION TO COURT'S REPORT AND RECOMMENDATION

Comes now Petitioner, Megan Hammers, in accordance with 28 U.S.C. §636 and Fed. R. Civ. P. 72 and presents her objection to recommendation for dismissal of her Writ for Habeas Corpus.

In order to preserve for appellate review Petitioner formally objects to decision(s) covering Grounds I, III, and IV, with request for abeyance of decision with Ground II as basis for request. This Court stated in Report and Recommendation that “ Here, Petitioner offers nothing more than speculation regarding how expert witnesses *might* have testified in support of her defense. This type of speculation is insufficient to demonstrate prejudice.” (Report and Recommendation Pg.13)

Petitioner requests this Court to grant extension of time to allow her to provide an expert witness report to substantiate her claims for this Courts consideration. Petitioner requests this Court to appoint Counsel to assist her in procuring the report due to her incarceration.

In the alternative Petitioner requests this Court to remand with direction to procure expert witness report within a reasonable amount of time or dismiss without prejudice so she may file a successive petition in the future.

WHEREFORE, Petitioner prays this Court to grant her request for abeyance, remand or dismissal without prejudice. Respectfully Submitted,

Megan Hammers #693220
Megan Hammers #693220
Mabel Bassett Correctional Center
29501 Kickapoo Rd.
McCloud, Ok 74851

CERTIFICATE OF MAILING

I hereby certify that on January 31, 2017 the original of the foregoing instrument was placed in the institutional mailbox, postage pre-paid to:

Court Clerk for the United States District Court
Western District Of Oklahoma
US Courthouse, 200 NW 4th St. Rm 1210
Oklahoma City, Ok 73102-3092

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